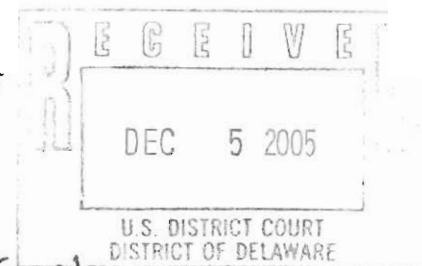


In The United States District Court
For The District OF Delaware



Ronald G. Johnson
v. Petitioner

United State District Court
Civil Action No. 05-258

Raphael Williams, Warden,
State OF Delaware et.al.,

Delaware Supreme Court
Civil Appeal No. 413, 2005
Superior Court OF The State OF Delaware
In And For New Castle County
Civil Action No. 05M-08-05 M.P.R. et.

- 1.) Petition For Writ OF Habeas Corpus " And Alternative
- 2.) Petition For Extraordinary Writ OF Mandamus "

My Criminal I.D. No. 0504012348 In Superior Court

Comes Now, the Petitioner Ronald G. Johnson and
Petition and Moves this Honorable Court to issue a Writ OF
Habeas Corpus to Raphael William Warden at Howard R. Young
Correction Institution, Gander Hill Prison 1301 E. 12 Street
Wilmington Delaware 19809 And State OF Delaware Prosecutor
M. Jane Brady, to test the validity of their Continued incor-
peration of the petitioner, Herewith, Petitioner asset the
following as Facts and grounds supporting his Cause, Orissue
Alternative Extraordinary Writ OF Mandamus

Jurisdiction

1.) The United States District Court has Jurisdiction
to issue Writ OF Habeas Corpus Pursuant to 28 USC 2241
(c)(3). A Federal District Court has jurisdiction to entertain
a Writ OF Habeas Corpus Sought by any prisoner "in custody"
in violation of the Constitution or Laws or Treaties of
the United States. Even if Prisoner has not yet been
tried 28 USC 2241 (c)(3).

Parties To Petition

2.) Respondant, Raphael Williams is the Warden of Howard R. Young Correctional Institution 1301 E 12th Street Wilmington Delaware 19809

3.) Respondant, State of Delaware Prosecutor M. Jane Brady & Department of Justice 820 N. French Street Wilmington De 19802

4.) Respondant, State of Delaware assign prosecutor Andrew J Vella 820 N. French Street Wilmington Delaware 19802

Petitioner

5.) Petitioner Ronald G. Johnson Inmate No. 182421 is incarcerated at Howard R. Young Correctional Institution, Gander Hill Prison 1301 E. 12th Street Wilmington Delaware 19809, Mailing Address is P.O. Box 9561 Wilmington Delaware 19809

Motion To Consolidate These Writs

6.) Comes Now, the Petitioner Ronald G. Johnson and Moves this Honorable Court to Consolidate his Petition for Extraordinary Writ of Mandamus with his Writ of Habeas Corpus, Or to have the Writ of Mandamus as alternative relief or Injunction or Declaratory Relief,

" Statement of The Case And Facts "

7.) Petitioner Come to this Honorable Court because he cannot afford to pay the cost of stamps for correspondence to courts. The Petitioner is representing in his Criminal Case and Numerous Writs in Supreme Court of The State of Delaware And Cases Filed in this Honorable District Court. The Warden Raphael Williams and his staff are suppose to afford the petitioner stamps to correspond with the courts. But refuses to do so and has left me with no other remedy then apply for Writ of Habeas Corpus or Extraordinary Writ of Mandamus

So this Honorable Court would Order my release or issue Writ of Mandamus Ordering him to provide me with Stamps as needed for Court Filing.

" Why Petitioner Cannot Afford Stamps "

8.) I have been in Federal prison For three and a half Years before this incarceration. I only had \$50.00 it was Sent in and Spent mostly on Stamps. I now am left With selling my prison Food and Seeking other avenues to get Stamps. I cannot obtain Stamps enough and When needed therefore I come to this Honorable Court for Writ of Habeas Corpus or Writ of Mandamus to be issued for my release or to inforce the Warden to Do "his duty" to provide Stamps.

" Cases Pending In Courts "

- 9.) Superior Court
 (a.) Proceeding Pro-Se in Criminal Case No. 0504012348
 (b.) Superior Court Writ of Habeas Corpus Petition Civil Action No. 05M-10-047 (c.) Numerous Writ of Mandamus in Superior Court (d.) Supreme Court of the State of Delaware Petitions See: Case Number 343, 2005, 413, 2005, Case No. 431, 2005, Case No 494, 2005, Case No. 518, 2005 And Case No. 553, 2005
 (e.) Case File in this Honorable United States District Court Civil Action No. 1:05-cv-00789, Civil Action No. 1:05-cv-00726

" Exhaustion of All Remedies "

10.) I Filed a Petition For Writ of Habeas Corpus in Superior Court of The State of Delaware which was Denied without a Finding of Facts see Civil Action No. 05M-08-051. I Appealed to the Supreme Court for the State of Delaware See 413, 2005 which

have failed to reach the merits.

"Facts OF The Case Prison Staff Refuse
To Pay Postage To Courts "

11) I have 10 or more cases of merit in my favor pending in numerous courts. This prison refuses to me in stamps to write courts. These prison staff refuses to pay postage so I can correspond, defend and respond in my defense to the courts. Which is a violation of my federal civil constitutional rights to due process of the courts. Which effects my 5th, 6th, 8th and 14th Amendments constitutional rights and violates them. The Supreme Court of The United States, United States Supreme Court Mandated the law of the land that is that the "Warden's" is to provide indigent prisoner with postage or stamps to correspond and defend with or to courts. Congress Mandate the Law of the land that Prisons is to pay for postage to court for inmate who are indigent and can not afford stamps.

Facts OF The Case

12) I am indigent and cannot pay postage needed to defend and correspond to courts. This prison refuse to pay postages needed. Therefore this Honorable Court is move to Grant me Habeas Corpus to issue Writ OF Habeas Corpus to remove me from this illegal custody. To release me to the streets so I can afford to pay my own postage. Or in Alternative issue Writ OF Mandamus Ordering the Warden to

Pay the Stamps and postage to Court all as needed.
"I have no out-side help with postage" Or Money et al.)
 I been incarcerated for 3 1/2 year prior to this incarceration.

" Further Exhaustion of All Remedies "

13.) I have Exhausted my prison remedies. There is nothing further I can do. It could take months for other stages if I sought other remedies or repeat same remedies, I have all ready it's was Dismiss as repetitive. All Grievance remedies has been exhausted. My numerous letter Pleading for Stamps for filing to Courts have been un-effective or in-effective.

" Relief Prayed "

14.) Petitioner Petitions and Move this Honorable Court to issue Writ of Habeas Corpus to bring him before the Court with his Cause, And or Order Petitioner release from Custody.

Whether Petitioner is attempting To Abort A

Trial proceeding or Disrupt
The Orderly Function of State Judicial Process "

" Facts of The Case "

15.) The Petitioner is not attempting to Abort A Trial Proceeding or Disrupt The Orderly Function of State Judicial Process. The Petition only seeks release from Custody. And to proceed with his Case from the street. There is no Forum that the defendant and Petitioner can seek a Speedy Remedy or Can save him from the bias and Prejudice of this lack of Due Process Right to Correspond to the Courts, and Constitutional Violation Suffering.

"Malicious Prosecution"

(6a) "Bias, Prejudice, Of Warden, Judges And State Of Delaware"

b.) The Petitioner is suffering bias and Prejudice From the Warden. And Judges And Prosecutor Also Prosecutor and Judges. Misconduct, See Title 18 USC 242 and 18 USC 241 et al.)

"Statement Of The Fact" "Accual Innocense"

17.) Police came to my home I was un-responsive because I had taken a lot of my prescription medication. The Ambulance was called I was taken to the Hospital. Officer who had not come to my home was watching me. Who said he leaving But he is calling Howard R. Young Correction Institutional, Gander Hill Prison Staff to "watch me" And if No officer presses Charges they will release me. A woman, A Gander Hill Prison Staff Volunteered to watch me. But Change her mind said she just got payed and she is leaving. I explained I was not charged Nor committed a Crime, She said she dont care. She's taking me to Gander Hill let them deal with it. And she brought me here. I was never told I was under arrest, I was never arrested. I was never taken to a police station or book. I was never finger printed Nor was a picture of me taken.

"Bias And Prejudice And Miscondue"

18.) The Warden know he brought me in this prison illegally Or His Staff did. The prosecutor knows I was never arrest my numerous filing mention is explaining the whole matter. The judges know I was never arrested

19.) "Result Is A Conspiracy To Violate Petitioner Rights"

"In Violation Of Title 18 USC 242 And 241"
These State Staff Warden, Judges and Prosecutor all are doing

Criminal Acts To Conspire against me to get me Convicted. The Warden refuses to pay for any Correspondance to the Court in the scheme to keep me from filing for relief. The Prosecutor is seeking a Conviction of a innocent man to Cover a false arrest, And unlawful imprisonment. The Judge refuse to address any Motions of merits such as Dismissal of Charge, Or Dismissal of illegally obtained indictment, Or Indictment obtain by fraud. Some of those mention Motions are 6 or 7 month old. The Court refuse to file Motion or Extraordinary Writ of Mandamus, Or Writ of Habeas Corpus (s). Those Numerous Supreme Court of The State of Delaware Filings are to get the Superior Court to respond, Which has proved un-effective or in-effective. So I have No Remedy. Nor is my Speedy Trial Right Respected. Nor have I seen any Discovery. My Case is over 7 months Trial, date May 5, 05

20.) "Interrogatory Questions
IF I was indeed arrested Then:"

- a.) Who or Which officer arrested me ?
- b.) What Police Station was I taken to ?
- c.) Who booked me ?
- d.) Who took my finger print ?
- e.) Who took my picture
- f.) Which magistrate I appeared be fore ?
- g.) Which New Castle County Police brought me to Gander Hill Prison?

There all Part of this malicious prosecution. In The Interest of justke this Honorable Court should Order a investigation of the matter. No jury has been picked, No Discovery given. I'm in jail for nothing.

21.) Further Relief Prayed

(a) Petitioner Petitions And Moves this Honorable Court to issue Writ of Mandamus to ~~order~~ "order my release" Alternative to Order the Warden to pay all postage I need to Correspond to the Courts,

22.) "No State Remedy Available"

Superior Court will not File Motions, Writ of Mandamus (S), Writ of Habeas Corpus (S), I Can't get a Court docket sheet from the prothonotary office. I Filed Motion to Waive all Case reviews, Pick a jury and trial and for a Speedy Trial. They the Judge set my case over a year away May 5, 06. "I was illegally taken into custody on April 15, 2005". Filing Motion has proved a ineffective remedy. Writs to Superior Court is ineffective. I Filed Writs to Delaware Supreme Court and they have done nothing. No Speedy remedy is available, Further no remedy has prove to be available or effective. But it known of all issues now presented.

23.) "In The Interest of Justice And Fundamental Fairness"

This Honorable Court should immediately bring me before this Honorable Court with my Custodians and parties of this Petition immediately to test the Custodian validity of my custody. And the Constitutionality of my Custody. Or Order my release on the merit. In the interest of Justice the Court should Order the parties to this petition to answer the Interrogatory Question. IF they cannot come up with a arresting officer and the element needed to verify a valid arrest, then Order my release. From there it would be clear there is no way I could be legally detained.

Oath And Affidavit

I Declare that the foregoing is true and correct under Penalty of perjury.

Declare November 23, 2005 Signed Ronald John

Exhibit A.

STATE OF DELAWARE
DEPARTMENT OF CORRECTIONS
HOWARD R. YOUNG INSTITUTE
P.O.BOX 9279
WILMINGTON, DELAWARE 19809

TO: Johnson, Ronald G. (SBI#182421)Pod-1E
FROM: Business Office (K. Grocki)
DATE: 08/05/05
SUBJECT: Indigent List

You cannot be put on the INDIGENT LIST due to having a balance of \$00.05....
You have to have a \$00.00 balance to be on list.

I only have 5¢ I am indigent and cannot
Pay for postage for Courts. I have 6 Court
Proceeding pending against me.

Exhibit B.
Showing Exhaustion of Remedies it Stopped here
Howard R. Young Correctional Institution
Inter-Dept. Memo

TO: Ronald Johnson 1-E 12
FROM: Sgt. M. Moody, Inmate Grievance Chair
DATE: 5-11-05
RE: GRIEVANCE # 05-13775

Please be advised that your grievance has been received in the office of the
Grievance Chair regarding indigent list

If no one contacts you for an informal resolution or if your grievance can not
be resolved informally, you will automatically be scheduled for a grievance
hearing before the Resident Grievance Committee (RGC). Please keep in
mind your grievance is only one of numerous others received in this office
on a daily basis.

Thank you for your patience.

Exhibit C:

Exhaustion of Remedies also stopped here

STATE OF DELAWARE
DEPARTMENT OF CORRECTION
HOWARD R. YOUNG CORRECTIONAL INSTITUTION
OFFICE OF THE GRIEVANCE CHAIRPERSON
1301 E. 12TH STREET
WILMINGTON, DE 19801

MEMORANDUM

TO: Inmate Ronald Johnson 1-F

FROM: Sgt. Moody, Inmate Grievance Chairperson

DATE: 5-9-05

RE: YOUR RECENT GRIEVANCE #05- 12714

This memo is to inform you that the grievance submitted by you dated 5-5-05, regarding indefinite list is not grievable for the following reason(s):

- ☐ The complaint was addressed by the IGC: _____
- ☐ Security issue (involves the security and/or staffing of the Institution and/or the safety, health, and/or welfare of inmates, staff and the public).
- ☐ Classification issues (security classification, jobs, transfers, programs, housing unit assignment). Classification has its own appeal process. The inmate must write to the Treatment/Classification Unit within seven (7) days after the inmate receives the Classification decision. The letter must state that the inmate is appealing the classification and clearly indicate the reasons the inmate disagrees with the classification decision.
- ☐ Disciplinary issue. Disciplinary actions cannot be grieved but must be APPEALED within 24 hours of the Class I or Class II Hearing Decision. Complete an appeal form and mail it to the facility Hearing Officer within 24 hours of receiving the form. Please note that 24 loss of all privileges cannot be appealed.
- ☐ Parole Board Decision. The inmate must write a letter to the Parole Board within 30 days of the Board's decision. Expressing the desire to appeal the decision and listing the reasons. The Parole Board's address is: Board of Parole, Carvel State Office Building, 820 N. French Street, 5th Floor, Wilmington, DE 19801.
- ☐ Inmates cannot request or demand disciplinary action on staff. If you have a complaint regarding staff write a letter to that person's supervisor. In this case, that is:
- ☐ This is an issue/complaint that has already been grieved by you or another inmate. _____
- ☐ Grievance is unacceptable because it has passed the seven (7) day time frame allotted to file a grievance.
- ☐ The grievance is a photocopy, carbon copy, written in pen or red ink. Original grievance forms must be written in black or dark blue ink.
- ☐ This complaint is addressed in the Inmate Handbook. Refer to the handbook page _____ for clarification and/or direction.

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR NEW CASTLE COUNTY

IN THE MATTER OF

Ronald G. Johnson

)
)
) **CIVIL ACTION NO. 05M-08-051MPR**
) **CRIMINAL ID: 0504012348**
)
)
)
) **HABEAS CORPUS PETITION**

ORDER

This 29 day of AUGUST, 2005, upon review of the foregoing Petition for a Writ of Habeas Corpus and the record in this case, it is the decision of the Court that the Petition is hereby **DENIED**. Petitioner is legally detained. Petitioner fails to state a claim upon which such a writ may be issued. The relief requested is not properly granted through a Writ of Habeas Corpus.

IT IS SO ORDERED



FILED
PROTHONOTARY
The Honorable Michael P. Reynolds

Orig: Prothonotary
cc: Defendant
Department of Justice

2005 AUG 29 PM 2:30

Ronald G. Johnson
#182421/2B-Cell #12
P.O. Box 9561
Wilmington Delaware 19809

U.S.M.S.
X-RAY

United States District Court
For The District of Delaware
844 N. King Street
Wilmington, Delaware 19802

Legal Mail



WHITE
LEGAL MAIL